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Paper No. 10

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**OFFICE OF PETITIONS**

In re Application of :  
Gabrie Hoogland, et al. :  
Application No. 09/826,723 :  
Filed: April 5, 2001 :  
Attorney Docket No. 08CV05967 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 17, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed March 6, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned at midnight on June 6, 2003.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), it will be interpreted as the required statement. Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The application file is being forwarded to Technology Center 1700, Art Unit 1712 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

*Retta Williams*

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Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy